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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SOFTWARE AG, INC. and SOFTWARE AG,

08 CV 00389 (CM) (FM)

Plaintiffs,

Defendants.

-against-

CONSIST SOFTWARE SOLUTIONS, INC., f/k/a CONSIST INTERNATIONAL, INC. and NATALIO FRIDMAN,

x

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that Duane Morris LLP, by the undersigned attorneys, is appearing on behalf of defendants Consist Software Solutions, Inc. f/k/a Consist International, Inc. and Natalio Fridman in the above-captioned action.

Dated: New York, New York January 17, 2008 DUANE MORRIS LLP

By: <u>Dymon Schaller / B</u> Hyman L. Schaffer

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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SOFTWARE AG, INC. and SOFTWARE AG,

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CERTIFICATE OF SERVICE

Plaintiffs,

-against-

CONSIST SOFTWARE SOLUTIONS, INC., f/k/a CONSIST INTERNATIONAL, INC. and NATALIO FRIDMAN,

Defendants.

This is to certify that I caused the foregoing Notice of Appearance to be served on the counsel for plaintiffs in this action by regular mail, at the address listed below, with a courtesy copy via electronic mail:

James D. Jacobs, Esq. Frank M. Gasparo, Esq. Marcella Ballard, Esq. BAKER & McKENZIE LLP 1114 Avenue of the Americas New York, New York 10036

This the 17th day of January, 2008.

BRIAN DAMIANO